

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

**VILROSE VENTURES, LLC,**

Plaintiff,

v.

**No. 4:24-cv-00853-  
P**

**U.S. BANK NATIONAL ASSOCIATION,**

Defendant.

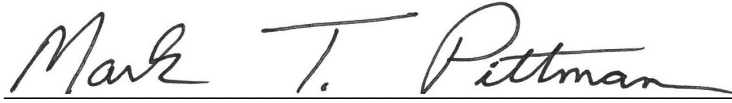
**ORDER**

On September 13, 2024, the Parties received notice that they must comply with Local Rule 83.10(a), which requires the appearance of local counsel “where an attorney appearing in a case does not reside or maintain [their] principal office *in this district*.” N.D. TEX. CIV. R. 83.10(a) (emphasis added). The Court’s notice stated that “failure to comply will result in the dismissal of this case without prejudice without further notice.” ECF No. 4. A review of the record reveals, however, that Plaintiff failed to comply with Local Rule 83.10(a) despite the Court’s warning. *See id.*

“Although the language of Rule 41(b) requires that the defendant file a motion to dismiss, the Rule has long been interpreted to permit courts to dismiss actions sua sponte for a plaintiff’s failure to prosecute or comply with the rules of civil procedure or court’s orders.” *Olsen v. Maples*, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–31 (1962)).

The Court thus **ORDERS** that this case is **DISMISSED without prejudice** per Rule 41(b) of the Federal Rules of Civil Procedure.<sup>1</sup>

**SO ORDERED** on this **16th day of October 2024**.

A handwritten signature in black ink, reading "Mark T. Pittman". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Mark T. Pittman  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>Should this dismissal without prejudice function as a dismissal with prejudice in this case, *see, e.g., Berry v. CIGNA/RSI-CIGNA*, 975 F.2d 1188 (5th Cir. 1992) (discussing instances where dismissal without prejudice functions as with prejudice, such as when a suit would be time-barred if plaintiff were forced to refile), Plaintiff must notify the Court in a timely, appropriately argued, and supported motion for leave to proceed without local counsel.